

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE

ROBERT L. MITCHELL,)	
)	
Plaintiff)	
)	Case 1:10-0105
v.)	Judge Campbell/Brown
)	Jury Demand
DAMON HINIGER, et al.,)	
)	
Defendants)	

O R D E R

The Plaintiff in this matter has filed a response (Docket Entry 74) to the Defendants' motion to compel. Because of the long procedural history of this case dealing with the HIPAA releases, the Magistrate Judge granted the Defendants' motion to compel without waiting for a response from the Plaintiff. The Magistrate Judge is attempting get the medical records which will allow the Magistrate Judge to be able to evaluate the Plaintiff's pending motion for injunctive relief (Docket Entry 44), and the motion to strike various responses in opposition to that motion (Docket Entry 54).

The Magistrate Judge has now considered the Plaintiff's response and does not find anything that requires him to change the order previously entered (Docket Entry 71). The Plaintiff clearly put his health and health records at issue in this matter and the Defendants are entitled to secure all relevant medical records. It is clear to the Magistrate Judge that although CCA may have some of the Plaintiff's medical records, they do not have them all. If the

Plaintiff wishes to appeal the Magistrate Judge's order, he should do so within **14 days** of the entry of this order.

It is so **ORDERED**.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge